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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/700,329	11/03/2003	Marcus da Silva	MN1-0010US	5147
38356 7590 07/17/2007 BROOKS, CAMERON & HUEBSCH, PLLC 1221 NICOLLET AVENUE, SUITE 500 MINNEAPOLIS, MN 55403			EXAMINER LEE, JUSTIN YE	
			ART UNIT 2617	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/700,329	Applicant(s) SILVA ET AL.	
	Examiner Justin Y. Lee	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This Office Action is in response to amendment filed on 1/12/07.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claim 1 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. "operational information associated with signal routing" in claim 1 is not disclosed in paragraph 21 on page 10 or paragraph 24 on page 11. The examiner is reading "operational information associated with signal routing" as the communication between the network and the user equipments.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Periyalwar (US 6,611,695) in view of Chitrapu (US 2003/0114196 A1).

Regarding claim 1, Periyalwar discloses a wireless communication system, comprising: a multi-beam directed signal system configured for directed wireless computing communication with a computing device; and an antenna assembly configured to receive the directed wireless communication and emanate a directed communication beam for data communication with the computing device (which reads on column 2 lines 50-67 and column 3 lines 1-54).

Periyalwar does not disclose wherein the multi-beam directed signal system is configured to determine and adjust, by beam-forming, a transmission peak for a particular directed wireless computing communication beam in a non-omni-directional manner based on operational information associated with signal routing.

Chitrapu further discloses wherein the multi-beam directed signal system is configured to determine and adjust, by beam-forming, a transmission peak for a particular directed wireless computing communication beam in a non-omni-directional manner based on operational information associated with signal routing (Fig. 2-10 and paragraph 13, 15-17, and 19, the directional beams are adjusted for the user equipment in a non-omni-directional manner based on the signal quality and/or location of the user equipment).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Chitrapu into the teachings of

Periyalwar for the purposes of preventing disconnects and reducing interference (paragraph 88, 114, and 9).

Regarding claim 2, Periyalwar discloses a multi-beam directed signal system is further configured to generate a second directed wireless computing communication to a second computing device, and wherein the antenna assembly is further configured to receive the second wireless communication and emanate a second directed computing communication beam for additional data communication with the second computing device (which reads on column 2 lines 50-67 and column 3 lines 1-54).

Regarding claim 3, Periyalwar discloses a multi-beam directed signal system is further configured to generate a second directed wireless computing communication to a second computing device the antenna assembly is further configured to receive the second wireless computing communication and emanate a second directed communication beam for additional data communication with the second computing device; and the antenna assembly is further configured to emanate the directed communication beam such that only the computing device will receive the data communication, and further emanate the second directed communication beam such that only the second computing device will receive the additional data communication (which reads on column 2 lines 50-67 and column 3 lines 1-54).

Regarding claim 4, Periyalwar discloses a multi-beam directed signal system is multi-channel and further configured for directed wireless computing communication with a second computing device; the antenna assembly is further configured to emanate

the directed communication beam for data communication with the computing device via a first channel; and the antenna assembly is further configured to emanate a second directed communication beam for additional data communication with the second computing device via a second channel (which reads on column 2 lines 50-67 and column 3 lines 1-54).

Regarding claim 5, Periyalwar discloses a multi-beam directed signal system is multi-channel and further configured for directed wireless computing communication with a second computing device; the antenna assembly includes a phased array of antenna elements each configured to emanate a communication beam; the antenna assembly is further configured to emanate the directed communication beam from a first antenna element for the data communication with the computing device via a first channel; and the antenna assembly is further configured to emanate a second directed communication beam from a second antenna element for additional data communication with the second computing device via a second Channel (which reads on column 2 lines 50-67 and column 3 lines 1-54).

Regarding claim 6, Periyalwar discloses a multi-beam directed signal system is multi-channel and further configured for simultaneous directed wireless computing communication with a second computing device; the antenna assembly is further configured to emanate the directed communication beam for data communication transmission to the computing device via a first channel; and the antenna assembly is further configured to emanate a second directed communication beam for data

communication reception from the second computing device via a second channel (which reads on column 2 lines 50-67 and column 3 lines 1-54).

Regarding claim 7, Periyalwar discloses a multi-beam directed signal system is further configured for simultaneous directed wireless transmission to the computing device and directed wireless reception from a second computing device (which reads on column 2 lines 50-67 and column 3 lines 1-54).

Regarding claim 8, Periyalwar discloses a antenna assembly is further configured to emanate the directed communication beam as an electromagnetic signal that includes transmission peaks and transmissions nulls within a coverage area of the communication beam (which reads on column 2 lines 50-67 and column 3 lines 1-54).

Regarding claim 9, Periyalwar discloses a antenna assembly is further configured to emanate the directed communication beam as an electromagnetic signal that includes a signal transmission peak within a first coverage area and a signal transmission null within a second coverage area; and the antenna assembly is further configured to emanate a second directed communication beam as a second electromagnetic signal that includes a second signal transmission peak within the second coverage area and a second signal transmission null within the first coverage area (which reads on column 2 lines 50-67 and column 3 lines 1-54).

Regarding claim 10, Periyalwar discloses a antenna assembly is further configured to emanate a second directed communication beam for the data communication with the computing device when the directed communication beam is

determined ineffective for data communication (which reads on column 2 lines 5067 and column 3 lines 1-54).

Regarding claim 11, Periyalwar discloses a multi-beam directed signal system is further configured to determine when the directed communication beam is ineffective for data communication with the computing device, and is further configured to generate the directed wireless communication for the data communication via a second directed communication beam; and the antenna assembly is further configured to emanate the second directed communication beam for the data communication with the computing device (which reads on column 2 lines 50-67 and column 3 lines 1-54).

Regarding claim 12, Periyalwar discloses a antenna assembly is further configured to emanate multiple directed communication beams, and wherein the multi-beam directed signal system includes signal coordination logic that monitors the multiple directed communication beams each as an individual access point (which reads on column 2 lines 50-67 and column 3 lines 1-54).

Regarding claim 13-15, Periyalwar discloses a multi-beam directed signal system includes signal coordination logic that controls a directed wireless transmission to the computing device and directed wireless reception from a second computing device such that the directed wireless transmission does not interfere with the directed wireless reception (which reads on column 2 lines 50-67 and column 3 lines 1-54).

Regarding claim 16, Periyalwar and Chitrapu together disclose a method, comprising: generating a directed wireless communication for data communication with

a computing device; receiving the directed wireless communication at an antenna assembly; and emanating a directed communication beam, associated with a transmission peak which is adjusted relative to other beams of a multi-beam directed signal system by beam-forming in a non-omni-directional manner, for the data communication with the computing device (Perivalwar, which reads on column 2 lines 50-67 and column 3 lines 1-54 and Chitrapu, Fig. 2-10 and paragraph 13, 15-17, and 19, the directional beams are adjusted for the user equipment in a non-omni-directional manner based on the signal quality and/or location of the user equipment).

Regarding claim 17, Periyalwar discloses a generating a second directed wireless communication for additional data communication with a second computing device; receiving the second directed wireless communication at the antenna assembly; and emanating a second directed communication beam, adjusted for a second transmission peak, for the additional data communication with the second computing device (Periyalwar, which reads on column 2 lines 50-67 and column 3 lines 1-54, Chitrapu, Fig. 2-10 and paragraph 13, 15-17, and 19, the directional beams are adjusted for the user equipment in a non-omni-directional manner based on the signal quality and/or location of the user equipment).

Regarding claim 18, Periyalwar discloses a generating a second directed wireless communication for additional data communication with a second computing device; receiving the second directed wireless communication at the antenna assembly; emanating a second directed communication beam, adjusted for a second transmission

peak, for the additional data communication with the second computing device; and wherein the directed communication beam is emanated such that only the computing device will receive the data communication, and the second directed communication beam is emanated such that only the second computing device will receive the additional data communication (Periyalwar, which reads on column 2 lines 50-67 and column 3 lines 1-54, Chitrapu, Fig. 2-10 and paragraph 13, 15-17, and 19, the directional beams are adjusted for the user equipment in a non-omni-directional manner based on the signal quality and/or location of the user equipment).

Regarding claim 19, Periyalwar discloses a generating a second directed wireless communication for additional data communication with a second computing device; receiving the second directed wireless communication at the antenna assembly; emanating a second directed communication beam, adjusted for a second transmission peak, for the additional data communication with the second computing device; and wherein the directed communication beam is emanated from a first antenna element of the antenna assembly, and the second directed communication beam is emanated from a second antenna element of the antenna assembly (Periyalwar, which reads on column 2 lines 50-67 and column 3 lines 1-54, Chitrapu, Fig. 2-10 and paragraph 13, 15-17, and 19, the directional beams are adjusted for the user equipment in a non-omni-directional manner based on the signal quality and/or location of the user equipment).

Regarding claim 20, Periyalwar discloses a emanating a second directed communication beam, adjusted for a second transmission peak, for data communication reception from a second computing device, and wherein emanating the directed

communication beam includes emanating the directed communication beam for data communication transmission to the computing device (Periyalwar, which reads on column 2 lines 50-67 and column 3 lines 1-54, Chitrapu, Fig. 2-10 and paragraph 13, 15-17, and 19, the directional beams are adjusted for the user equipment in a non-omni-directional manner based on the signal quality and/or location of the user equipment).

Regarding claim 21, Periyalwar discloses a transmitting the data communication to the computing device via the directed communication beam adjusted for transmission peak; receiving a second data communication from a second computing device via a second directed communication beam; and wherein transmitting the data communication and receiving the second directed data communication is simultaneous (Periyalwar, which reads on column 2 lines 50-67 and column 3 lines 1-54, Chitrapu, Fig. 2-10 and paragraph 13, 15-17, and 19, the directional beams are adjusted for the user equipment in a non-omni-directional manner based on the signal quality and/or location of the user equipment).

Regarding claim 22, Periyalwar discloses a emanating the directed communication beam includes emanating an electromagnetic signal that includes transmission peaks and transmissions nulls within a coverage area of the directed communication beam (which reads on column 2 lines 50-67 and column 3 lines 1-54).

Regarding claim 23, Periyalwar discloses a determining that the directed communication beam is ineffective for the data communication with the computing device; and emanating a second directed communication beam for the data

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communication with the computing device (which reads on column 2 lines 50-67 and column 3 lines 1-54).

Regarding claim 24, Periyalwar discloses a transmitting the data communication to the computing device via the directed communication beam; receiving a second data communication from a second computing device via a second directed communication beam; and controlling transmitting the data communication such that the data communication does not interfere with receiving the second data communication (which reads on column 2 lines 50-67 and column 3 lines 1-54).

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin Y. Lee whose telephone number is (571) 272-5258. The examiner can normally be reached on M - F 8:30 to 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duc Nguyen can be reached on 571-272-7503. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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